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20                   **UNITED STATES DISTRICT COURT**  
21                   **NORTHERN DISTRICT OF CALIFORNIA**  
22                   **SAN FRANCISCO DIVISION**

23  
24                   **IN RE TRANSPACIFIC PASSENGER AIR**  
25                   **TRANSPORTATION ANTITRUST**  
26                   **LITIGATION**

27  
28                   **This Document Relates to:**  
1                   **ALL ACTIONS**

Case No.: 07-CV-5634-CRB

MDL No.: 1913

STIPULATION AND ORDER PURSUANT  
TO CIVIL LOCAL RULES 6-2 AND 7-12  
REGARDING DEPOSITIONS FOLLOWING  
FACT DISCOVERY CUT-OFF

Judge: The Honorable Charles R. Breyer

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30                   **STIPULATION AND [PROPOSED] ORDER**  
31                   **PURSUANT TO CIVIL LOCAL RULES 6-2 AND**  
32                   **7-12 REGARDING DEPOSITIONS FOLLOWING**  
33                   **FACT DISCOVERY CUT-OFF**

Case No. 07-CV-05634-CRB AND MDL No. 1913

1           WHEREAS, the Court's Order re Deposition Limits (Dkt. No. 691), dated February 14,  
 2 2013, provides that “[n]o more than 10 (including 30(b)(6)) depositions may be conducted by  
 3 [Plaintiffs] related to [EVA Airways Corporation (“EVA”)];

4           WHEREAS, the Court's Order Revising Briefing and Discovery Schedule (Dkt. No. 720),  
 5 dated August 30, 2013, provides that fact discovery in this case shall close on January 31, 2014;

6           WHEREAS, Plaintiffs have requested to take ten depositions of EVA: 8 individual  
 7 depositions; the deposition of Ms. Tina Kuo, EVA's declarant in support of the Motion of EVA  
 8 Airways Corp. for Summary Judgment; and, a deposition pursuant to Federal Rule of Civil  
 9 Procedure 30(b)(6);

10          WHEREAS, counsel for Plaintiffs and EVA (collectively, the “Parties”) have been meeting  
 11 and conferring regarding the dates and locations for the depositions that Plaintiffs have indicated that  
 12 they intend to take;

13          WHEREAS, the Parties have agreed, subject to the Court's approval, to complete four  
 14 depositions after the January 31, 2014 close of fact discovery in order to accommodate the schedules  
 15 of the Parties and the deponents;

16          WHEREAS, the Parties have agreed that these depositions will be of Mr. Glenn Chai, Ms.  
 17 Daisy Yang, Mr. Gary Huang, and a deposition of EVA pursuant to Federal Rule of Civil Procedure  
 18 30(b)(6);

19          WHEREAS, the Parties have agreed that these four depositions will be completed by  
 20 February 28, 2014;

21          WHEREAS, all parties in this action have stipulated to the Parties' agreement regarding  
 22 Plaintiffs conducting these four depositions between January 31, 2014 and February 28, 2014; and,

23          WHEREAS, the Parties jointly agree that conducting these four depositions in February 2014  
 24 will not affect any other deadlines for this case, will not otherwise alter the close of fact discovery on  
 25 January 31, 2014, and will be more convenient for the Parties and the deponents;

26          IT IS HEREBY STIPULATED by and between the Parties, subject to the Court's approval,  
 27 that Plaintiffs shall conduct and complete these four of ten depositions related to EVA (specifically,  
 28 the three depositions of EVA employees Mr. Glenn Chai, Ms. Daisy Yang, and Mr. Gary Huang,

1 and the deposition of EVA pursuant to Federal Rule of Civil Procedure 30(b)(6) no later than  
2 February 28, 2014; and

3 IT IS HEREBY FURTHER STIPULATED by and between the Parties that this Stipulation  
4 does not affect any other deadlines or otherwise alter the January 31, 2014 close of fact discovery.

5 Pursuant to Local Rule 6-2(a), the Declaration of Jason Kelly in Support of the Stipulation  
6 Regarding Depositions Following Fact Discovery Cut-Off is filed herewith.

7  
8 DATED: January 15, 2014

**COTCHETT, PITRE & McCARTHY, LLP**

9 By: /s/Adam J. Zapala  
10 Adam J. Zapala

11 *Co-Lead Counsel for Plaintiffs*

12  
13 **HAUSFELD, LLP**

14 By: /s/ Seth Gassman  
15 Seth Gassman

16 *Co-Lead Counsel for Plaintiffs*

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By: /s/ William R. Sherman  
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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: January 17, 2014

